

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROSZETTA MARIE MCNEILL,

Plaintiff,

No. 11-cv-11130

vs.

Hon. Gerald E. Rosen

WAYNE COUNTY,

Defendant.

MEMORANDUM OPINION AND ORDER ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION
AND DISMISSING PLAINTIFF'S COMPLAINT, WITH PREJUDICE

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on February 25, 2013

PRESENT: Honorable Gerald E. Rosen
United States District Chief Judge

This American with Disabilities Act action is at least the fourth such action filed by *pro se* Plaintiff Roszetta McNeill against Wayne County, her former employer.¹ The case was referred to United States Magistrate Judge Michael Hluchaniuk for pretrial

¹ McNeill filed at least two previous cases against her employer in this Court, *see McNeill v. Wayne County*, 05-72885; *McNeill v. Wayne County*, 08-10658. She also filed two cases in Wayne County Circuit Court, *McNeill v. Fordham, et al.*, and *McNeill v. Kemp*, consolidated and filed as Wayne County Cir. Ct. No. 01-121687. McNeill also filed an ADA action against RDH and PEM Investment Company, *McNeill v. RDH and PEM Invest., LLC*, 00-72458, Investment Company for who she worked during a hiatus in her county employment. Plaintiff did not succeed in any of these cases and all of them were dismissed either voluntarily or through dispositive motion practice.

purposes and, after the close of discovery, the parties cross-moved for summary judgment. The motions were fully briefed by both parties.

The Magistrate Judge thereafter notified the parties that oral argument on the motions was not necessary, and on February 14, 2013, the Magistrate Judge issued his Report and Recommendation, recommending that the Court grant Defendant's Motion for Summary Judgment, deny Plaintiff's motion for summary judgment, and dismiss Plaintiff's Complaint, in its entirety, with prejudice. Plaintiff timely filed objections to the R&R.

Having reviewed and considered the Magistrate Judge's Report and Recommendation, Plaintiff's objections thereto, and the entire record of this matter, the Court concurs in the Magistrate Judge's ruling and finds that, for the reasons stated in the Magistrate Judge's R&R, Plaintiff's Complaint should be dismissed. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's Report and Recommendation of February 14, 2013 [**Dkt. # 67**] is adopted by the Court.

IT IS FURTHER ORDERED that, for the reasons stated by the Magistrate Judge, Defendant's Motion for Summary Judgment [**Dkt. # 54**] is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Amended Motion for Summary Judgment [**Dkt. # 32**] is DENIED.

IT IS FURTHER ORDERED that the remaining pending motions in this matter [**Dkt. Nos. 42, 45, 46**] are denied as MOOT.

IT IS FURTHER ORDERED that this case be, and hereby is, DISMISSED, with prejudice.

Let Judgment be entered accordingly.

s/Gerald E. Rosen
Chief Judge, United States District Court

Dated: February 25, 2013

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 25, 2013, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager